

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

HOME INSTEAD, INC., a Nebraska Corporation,  
  
Plaintiff,  
  
v.  
  
MERLE BOYCE, an individual, and  
CHARLES BOYCE, JR., an individual,  
  
Defendants.

Case No. 8:11cv86

**ORDER  
CONTINUING HEARING**

This matter is before the court on Nicole Taylor's Motion for Continuance (#45) of the May 30, 2012 hearing on her motion to withdraw (#41) as counsel. A copy of the motion has been served on the defendants. Substitute counsel has not yet entered an appearance. The motion is unopposed and will be granted.

**IT IS ORDERED:**

1. The evidentiary hearing on the motion to withdraw (#41) is continued to **Thursday, June 7, 2012 at 10:00 A.M.**, Courtroom 6, Roman L. Hruska U.S. Courthouse, 111 S. 18th Plaza, Omaha, Nebraska.
2. The defendants Merle Boyce and Charles Boyce, Jr., are required to attend the hearing.
3. The defendants' attorney shall serve a copy of this Order and Notice of Hearing on defendants at their last known address.
4. Moving counsel shall serve a copy of this Order on the defendants and file a certificate of service showing compliance with paragraph 3, above, and listing the names and addresses of the persons to whom notice was sent.

5. The parties are advised that the evidentiary hearing will not be necessary and will be cancelled if defendants retain substitute counsel and substitute counsel enters a written appearance by the close of business on **June 5, 2012**. The written appearance must be timely filed with the Clerk of the Court. Communication by facsimile will not suffice to satisfy the requirement of a written appearance.

DATED: May 29, 2012.

BY THE COURT:

S/ F.A. Gossett, III  
United States Magistrate Judge